



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,277	05/30/2001	Carsten Thormod Pedersen	060258-0282898	7410
909 7590 07/22/2009 PILLSBURY WINTHROP SHAW PITTMAN, LLP P.O. BOX 10500 MCLEAN, VA 22102				
EXAMINER CAMPBELL, KELLIE L				
ART UNIT 3691		PAPER NUMBER		
MAIL DATE 07/22/2009		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

09/870,277

**Applicant(s)**

PEDERSEN ET AL.

**Examiner**

KELLIE CAMPBELL

**Art Unit**

3691

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 April 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-5, 8, 9, 11-14, 17 and 20-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 2-5, 8, 9, 11-14, 17, and 20-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date: \_\_\_\_\_

### **DETAILED ACTION**

1. The following communication is in response to Applicant's amendment filed on 15 April 2009.

#### ***Status of Claims***

2. Claims 2-5, 8, 9, 11-14, 17, and 20 have been amended, claims 18-19 have been canceled, and claims 21 and 22 are newly added. Therefore claims 2-9, 11-14, 17, and 20-22 are currently pending.

#### ***Examination of Application by a Different Examiner***

3. Applicant should note that the instant application is now assigned to a different examiner, Kellie Campbell.

#### ***Allowable Subject Matter***

4. Claim 2 is rejected under 35 U.S.C. §112, but would be allowable if Applicant corrected the 35 U.S.C. §112 issue below.

#### ***Response to Amendment***

5. Applicant's amendments to Claim 2-9 and 11-14, 17 are sufficient to overcome the 35 U.S.C. 101 rejection set forth in the previous Office action. Therefore, Examiner withdraws the 35 U.S.C. 101 rejection set forth in the previous Office action.

6. Applicant's amendments to Claims 8-11 and 20 are sufficient to overcome the 35 U.S.C. 112, second paragraph rejection set forth in the previous Office action. Therefore, Examiner withdraws the 35 U.S.C. 112, second paragraph rejection set forth in the previous Office action.

7. Applicant's amendments to Claims 12-14 and 17-19 are sufficient to overcome the 35 U.S.C. 112, second paragraph rejection set forth in the previous Office action. Therefore, Examiner withdraws the 35 U.S.C. 112, second paragraph rejection set forth in the previous Office action.

***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 2 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

10. Claim 2 recites "if said vouchers are the same type" and "if said vouchers are of a different type". These recitation are rendered vague and indefinite because of the recitations of "if". The "if" makes optional both of the mutually exclusive steps so that it cannot be determined which step is to be performed. Language that suggests or makes

optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. Therefore, Claim 2 is indefinite. Clarification is required.

11. Claim 22 recites "the arrangement". This recitation lacks antecedent basis.

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. **Claims 3-14, 17, and 20 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Fougnyes et al. (hereinafter Fougnyes) U.S. Patent 5,854,975 in view of Segal et al (hereinafter Segal) U.S. Patent 6,167, 251 for the reasons set forth in the previous Office Action.**

14. **Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fougnyes et al. (hereinafter Fougnyes) U.S. Patent 5,854,975 in view of Segal et al (hereinafter Segal) U.S. Patent 6,167, 251 and in further view of Joyce, U.S. 6,320,947 B1 (hereinafter Joyce).**

15. **As per Claim 21**, the combination of Fougnyes and Segal does not expressly disclose the network element of claim 12, wherein the network element is an Intelligent Peripheral of an Intelligent Network, said Intelligent Peripheral comprising an Interactive Voice Response service through which the account balances are updated.

However, Joyce teaches a network element is an Intelligent Peripheral of an Intelligent Network, said Intelligent Peripheral comprising an Interactive Voice Response service through which the account balances are updated (Column 16, Lines 19-25, The subsystem provides users with an interactive voice response or operator-assisted method of joining multiple connected calls into the conversation and to debit the customer's PIN access card's corresponding account balance for the charge of initiating a conference call and for the charges accruing during the call).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the invention of Fougnyes in view of Segal with the teachings of Joyce in order to overcome the problems associated with existing mechanisms for delivering advanced communication services to customers as taught by Joyce (Column 3, Lines 28-36)

16. **As per Claim 23**, the combination of Fougnyes and Segal does not expressly disclose the arrangement of claim 13, wherein the network element is an Intelligent Peripheral of an Intelligent Network, said Intelligent Peripheral comprising an Interactive Voice Response service through which the account balances are updated.

However, Joyce teaches a network element is an Intelligent Peripheral of an Intelligent Network, said Intelligent Peripheral comprising an Interactive Voice Response service through which the account balances are updated (Column 16, Lines 19-25, The subsystem provides users with an interactive voice response or operator-assisted method of joining multiple connected calls into the conversation and to debit the

customer's PIN access card's corresponding account balance for the charge of initiating a conference call and for the charges accruing during the call).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the invention of Fougny in view of Segal with the teachings of Joyce in order to overcome the problems associated with existing mechanisms for delivering advanced communication services to customers as taught by Joyce (Column 3, Lines 28-36)

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KELLIE CAMPBELL whose telephone number is (571)270-5495. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571)272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

K.C.

/Alexander Kalinowski/

Supervisory Patent Examiner, Art Unit 3691